

STATE OF WISCONSIN

CIRCUIT COURT
BRANCH 17

DANE COUNTY

WISCONSIN DEPARTMENT OF
FINANCIAL INSTITUTIONS,

Plaintiff,

vs.

Case Nos. 12-CX-44 and 44A

WISCONSIN FUNERAL DIRECTORS
ASSOCIATION, INC.

and

FIDUCIARY PARTNERS, INC., as Trustee
for the WISCONSIN FUNERAL TRUST,

Defendants.

NOTICE TO DEPOSITORS

On September 14, 2012, the Dane County Circuit Court appointed John M. Wirth as receiver for the Wisconsin Funeral Trust. You entered into a Burial Contract with your local funeral home. The money you paid for your Burial Contract was deposited in the Wisconsin Funeral Trust.

Over the past several months, the Receiver and the Wisconsin Funeral Directors Association, Inc., an association representing funeral homes, have been negotiating an agreement to ensure that depositors, like you, receive substantially all of the benefits you were promised when you entered into the Burial Contract. We now have reached that agreement and will be presenting it to the Court for approval.

You are not required to do anything in response to this notice. You are receiving this notice because you have a right to know about the agreement, the agreement will have an impact

on your rights, and if you disagree with the agreement, you have a right to let the Court know that you disagree.

On July 8, 2013 at 9:00 a.m., Judge Peter Anderson will hold a hearing in his courtroom at the Dane County Courthouse, Room 6103, 215 South Hamilton Street, Madison, Wisconsin to consider the agreement. If you disagree with the agreement, or you want the Court to hear and consider your views on the agreement, then you or your attorney must file a timely written objection with the Court or appear at the hearing. If you file an objection, it must be filed with the Clerk of Court, Dane County Circuit Court, 215 South Hamilton Street, Madison, Wisconsin 53703, on or before July 3, 2013. At the same time, you must mail a copy of your response to each of the following persons:

Stephen E. Kravit
Kravit ▪ Hovel & Krawczyk, s.c.
825 N. Jefferson St.
Milwaukee, WI 53202-3737
Fax: 414-271-8135

John M. Wirth
Mallery & Zimmerman, s.c.
731 N. Jackson St.
Suite 900
Milwaukee, WI 53202-4697
Fax: 414-727-6306

Chris Stroebel
von Briesen & Roper, s.c.
Three S. Pinckney St.
Suite 1000
Madison, WI 53703
Fax: 608-316-3196

F. Mark Bromley
Lewis W. Beilin
Assistant Attorney General
Wis. Department of Justice
Post Office Box 7857
Madison, WI 53707-7857
Fax: 608-267-2779

The agreement that the Receiver and the Association reached will have no effect unless the Court approves it.

You can review the actual agreement, and the court papers asking for approval of the agreement, at www.wisconsinfuneraltrust.org/funeralhomesettlement.

Each funeral home will have an option to enter into the agreement. No funeral home can be compelled to enter into the agreement. However, if a funeral home decides not to enter into

the agreement, it will lose protections against being sued.

Prior to this agreement, since the beginning of this receivership, some rights of depositors, such as the right to transfer burial contracts to other funeral homes, and the right to withdraw funds, have been restricted.

If your funeral home enters into the agreement with the Receiver:

- **the funeral home will ensure that you receive the funeral services that you were promised regardless of the financial condition of the Trust;**
- **you will, under certain circumstances, be able to transfer your burial contract to other funeral homes; and,**
- **you will, under certain circumstances, be able to withdraw some of the funds in your account if you decide that you do not want them available for your funeral.**

The agreement describes both how the funeral home will be paid for its services and the funeral home's financial responsibilities for your burial contract. In exchange for entering into the agreement, your funeral home will be permanently protected from lawsuits for acts and omissions that occurred in the past.

The Wisconsin Department of Financial Institutions, represented by the Wisconsin Department of Justice, approves of the agreement and will be joining the Receiver and the Association in requesting the Court's approval.

The Receiver, in working for the best interests of depositors and all other people involved in the Trust, believes that the Court should approve the agreement. The Receiver maintains that the agreement protects you and other depositors.

Answers to your questions about the agreement can be found at www.wisconsinfuneraltrust.org/funeralhomesettlement. Otherwise, email the Receiver

at WirthFuneralReceiver@gmail.com or call us at 855-947-9900. We cannot provide legal advice. If you require legal advice, please consult your own lawyer.

KRAVIT, HOVEL & KRAWCZYK S.C.



Stephen E. Kravit
State Bar No. 1016306

Christopher J. Krawczyk
State Bar No. 1033982

Attorneys for John M. Wirth, as Receiver for the Wisconsin Funeral Trust and the assets/claims of the Wisconsin Funeral Directors Association, Inc.

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kravit@kravitlaw.com

Dated: June 18th, 2013